

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christine Brown on July 23, 2010.

Claim 15 was rewritten as follows:

--Claim 15. A method for testing blood during the preparation and performance of bedside-tests, wherein the method comprises:

first, testing donor blood located within a blood bag to be potentially transfused into a recipient by using a first test unit of a test element and obtaining a first result;

subsequently, fixing the test element to the blood bag;

thereafter, testing blood from the recipient by applying a sample of the recipient's blood to a second test unit of the test element while the test element is fixed to the blood bag and obtaining a second result; and

comparing the first and second test results on the test element fixed to the blood bag in order to determine whether the donor blood is compatible for transfusion into the recipient.--

Claim 16 was canceled.

On line 4 of claim 17, the phrase "fixing the test element at" was changed to --fixing the test element to--.

On line 2 of claim 29, the word "patient" was changed to --recipient--.

2. The following is an examiner's statement of reasons for allowance: Application serial no. 10/588,053 is being allowed since none of the prior art of record teaches or fairly suggests a method for testing donor blood located within a blood bag in order to determine whether the donor blood is suitable to be transfused into a recipient by testing a sample of the donor blood located within a blood bag with a first unit of a test element, fixing the test element to the blood bag, testing blood of a recipient by applying a sample of the recipient's blood to a second unit of the test element while the test element is fixed to the blood bag, and comparing the results on the first and second units of the test element in order to determine whether the donor blood in the blood bag is compatible for transfusion into the recipient.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maureen M. Wallenhorst whose telephone number is 571-272-1266. The examiner can normally be reached on Monday-Thursday from 6:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vickie Kim, can be reached on 571-272-0579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maureen M. Wallenhorst
Primary Examiner
Art Unit 1797

mmw

July 26, 2010

/Maureen M. Wallenhorst/

Primary Examiner, Art Unit 1797